REMARKS

Initially, in the Office Action dated November 4, 2004, the Examiner has rejected claims 1 and 30 under 35 U.S.C. §101. Claims 12, 13 and 26 have been rejected under 35 U.S.C. §102(e) as being anticipated by USP 6,076,083 (Baker). Claims 1, 8-11, 14, 16, 18, 20, 22, 24 and 28 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of U.S. Patent No. 6,647,383 (August et al.). Claims 15, 19 and 23 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of August et al. and further in view of U.S. Patent No. 6,772,103 (King). Claims 2-5 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of August et al. and further in view of U.S. Patent No. 5,668,633 (Cheetam et al.). Claims 6-7 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of August et al. and further in view of U.S. Patent No. 5,560,005 (Hoover et al.). Claims 17, 21, 25 and 30-33 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of August et al. and further in view of King in view of U.S. Patent No. 6,393,431 (Salvati et al.) in view of U.S. Patent No 6,290,774 (Solomon et al.) and further in view of U.S. Patent No 6,340,563 (Finkelstein et al.). Claim 27 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of King. Claim 29 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of King in view of Salvati et al. in view of U.S. Patent No 6,161,110 (Curtis et al.) in view of Solomon et al. and further in view of

Finkelstein et al. The specification is objected to because of informalities. Claims 1, 8, 11 and 31-33 have been objected to.

By the present response, Applicants have submitted new claim 34 for the Examiner's consideration and respectfully submit that this claim does not contain any prohibited new matter. Further, claims 1, 8, 11, 12 and 30-33 have been amended to further clarify the invention. Claims 1-34 remain pending in the present application.

35 U.S.C. §101 Rejections

Claims 1 and 30 have been rejected under 35 U.S.C. §101. Applicants have amended these claims to further clarify the invention and respectfully submit that these claims are directed to statutory subject matter. Accordingly, Applicants respectfully request that these rejections be withdrawn.

35 U.S.C §102 Rejections

Claims 12, 13, 26 and new claim 34 have been rejected under 35 U.S.C. §102(e) as being anticipated by Baker. Applicants have discussed the deficiencies of Baker in Applicants' previously-filed response and reassert all arguments submitted in that response. Applicants respectfully traverse these rejections and provide the following additional remarks.

Regarding claim 12, Applicants submit that Baker does not disclose or suggest the limitations in the combination of this claim of, inter alia, searching either a meta database or a case database, which have been stored in a content offer server in advance, having solution rules stored in association with the data regarding

a solution to solve the problem having examples of new solutions in association with the problem, each of the examples including an instrument having a predetermined function, the rules being physical or chemical rules indexed by an improving physical or chemical parameter and a deteriorating physical or chemical parameter, or extracting and displaying a new solution corresponding to a result of having searched for the solution rules. In the "Response to Applicants' Amended Remarks" portion of the Office Action, the Examiner admits that Baker "does not disclose the invention as defined" in claim 12 of the present application. Although the Examiner asserts that Baker in combination with a series of other prior art references, the subject matter may be rejected under a §103 rejection, this does not justify a rejection under §102 that requires a single reference where every limitation in the claim is disclosed or suggested in the reference. Therefore, this rejection has been successfully traversed.

Moreover, Applicants submit that Baker does not disclose or suggest solution rules stored in association with data regarding a solution to solve a problem, as recited in the claims of the present application. Baker merely relates to collecting knowledge regarding a network and using this collected knowledge to update probability matrices. This is not rules related to a solution. Further, Baker does not disclose or suggest solutions to solve a problem having examples of new solutions in association with the problem. Baker merely discloses that many of the probabilities are automatically classified into a plurality of nodes in accordance with a Bayesian network model (see Fig. 2, and col. 12, lines 31-51). This is not a new solution to

solve a problem, as recited in the claims of the present application. According to the present application, a system is provided by which an operator is able to easily find a new solution for the problem the operator has (see page 1, lines 2-3). In this regard, an engineering portal site is provided into which physical or chemical parameters are input, and a meta database is searched in accordance with the input parameter. The meta database has stored in advance rules extracted from past problems (see Fig. 3). A problem case database in which data regarding solutions is also searched, and the solutions searched are displayed (see page 10, lines 14-18).

Further, Applicants submit that Baker does not disclose or suggest anything related to solution rules where the rules are physical or chemical rules indexed by an improving physical or chemical parameter and a deteriorating physical or chemical parameter. Baker merely relates to a diagnostic system utilizing a Bayesian network model having link weights updated experimentally. Baker does not disclose or suggest anything related to solution rules being physical of chemical rules, or solution rules being indexed by an improving physical or chemical parameter and a deteriorating physical or chemical parameter.

Regarding claims 13 and 26, Applicants submit that these claims are dependent on independent claim 17 and, therefore, are patentable for the same reasons noted previously regarding this independent claim. For example, Applicants submit that Baker does not disclose or suggest where a function to extract a solution corresponding to the solution rules has a function to search a content database

having information of solutions associated with the solution rules, or where the predetermined function of the instrument comprises an analyzing function.

Accordingly, Applicants submit that Baker does not disclose or suggest the limitations in the combination of each of claims 12, 13 and 26. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

35 U.S.C. §103 Rejections

Claims 1, 8-11, 14, 16, 18, 20, 22, 24 and 28 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of August et al. Applicants respectfully traverse these rejections.

August et al. discloses a system and method for information searching comprising determination of, in fine granularity, a Community of Interest (COI), further data mining in search results, using at least one of COI and expert preferences to identify important knowledge, formulation and manipulation of results, and summarization of search results into a document like entity with dynamic attributes described. More particularly, August et al. relates to a system and method for providing interactive dialogue and iterative search functions to find information on a large network of servers, such as the world wide web.

Regarding claims 1, 8, 11 and new claim 34, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of these claims of, inter alia, searching a meta database or a case database in response to an instruction

input, the meta database including a rule extracted from a plurality of actual examples regarding new solutions for any of the problems, the rule being a physical or chemical rule indexed by an improving physical or chemical parameter and a deteriorating physical or chemical parameter, the case database containing new solutions to solve the problems, each example including an instrument having a predetermined function according to the rule to determine information on a relationship between one of the solutions and one of the problems to be solved thereby to generate data regarding the examples of new solutions, or displaying on a display the data regarding the examples of new solutions with corresponding instruments and with the rule. As noted previously, Baker does not disclose or suggest these limitations in the combination of the claims of the present application. Further, August et al. merely relates to providing interactive dialogue and iterative search functions to find information, and does not overcome the substantial defects noted previously regarding Baker. For example, August et al. does not disclose or suggest a rule regarding new solutions for problems, or the rule being a physical or chemical rule indexed by an improving physical or chemical parameter and a deteriorating physical or chemical parameter.

Regarding claims 9, 10, 14, 16, 18, 20, 22, 24 and 28, Applicants submit that these claims are dependent on one of independent claims 1, 8 and 11 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims. For example, Applicants submit that none of the cited references disclose or suggest where the predetermined function of the instrument

comprises an analyzing function, or displaying a history of the instructions input by the user.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 1, 8-11, 14, 16, 18, 20, 22, 24 and 28 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claims 15, 19 and 23 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of August et al. and further in view of King. Applicants respectfully traverse these rejections.

King discloses a method for selecting a parts kit detail for the installation of a pressure transducer on a container such as a pipeline or a vessel, the container for containing a fluid material, the method including two steps. The first step is to establish at least two different installation categories, each such different installation category being defined by the properties of the fluid material. The second step is to establish at least two different parts kit details, at least two of such different parts kit details being applicable to the different installation categories.

Applicants submit that these claims are dependent on one of independent claims 1, 8 and 11 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims. Applicants submit that neither August et al. nor King overcome the substantial defects noted previously regarding Baker. For example, Applicants submit that none of the cited references disclose or

suggest where the instruction inputted by the user relates to a combination of a state selection, a part selection and an analysis condition of selection, and a corresponding solution includes a combination of an analytical technique and an analytical instrument.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 15, 18 and 23 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claims 2-5 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of August et al. and further in view of Cheetam et al. Applicants respectfully traverse these rejections.

Cheetam et al. discloses a method and system for formulating a color match. There is provided a method and system for formulating a color match from a set of previously used color formulations. Cheetam et al. includes reading the color spectrum of a standard. After obtaining the color spectrum, the set of previously used color formulations are searched for a set of color formulas that approximates the color of the standard. Next, a color formula is selected from the set of color formulas that best matches the color of the standard. Then a test batch is made with the color formula having the best match and examined for its acceptability.

Applicants submit that these claims are dependent on independent claim 1 and, therefore, are patentable at least for the same reasons noted previously

regarding this independent claim. Applicants submit that neither August et al. nor Cheetam et al. overcome the substantial defects noted previously regarding Baker. For example, Applicants submit that none of the cited references disclose or suggest displaying a plurality of solution rules based on the meta rules searched out from the meta database in order to urge the user to think up an idea for a new solution, or displaying a plurality of examples of solutions searched out from the case database in order to urge the user to think up an idea for a new solution.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 2-5 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claims 6 and 7 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of August et al. and further in view of Hoover et al. Applicants respectfully traverse these rejections.

Hoover et al. discloses an object-based relational distributed database system and associated methods of operation that transforms data stored in a plurality of remote, heterogeneous user databases into a homogeneous data model. Data stored in distributed, heterogeneous user database structures is homogenized by mapping into object attributes of predetermined instances of objects forming to a conceptual model that relates the various heterogeneous databases.

Applicants submit that these claims are dependent on independent claim 1 and, therefore, are patentable at least for the same reasons noted previously regarding this independent claim. Applicants submit that neither August et al. nor Hoover et al. overcome the substantial defects noted previously regarding Baker. For example, Applicants submit that none of the cited references disclose or suggest where in order that each of customers can be offered customized solutions and contents, a company database is provided that is concerned with companies which the customer belonged to, and searched for customer's information, and problems and solutions supposed for each customer are enumerated by use of the search result.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 6 and 7 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claims 17, 21, 25 and 30-33 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of August et al. and further in view of King and Salvati et al. in view of Solomon et al. and further in view of Finkelstein et al. Applicants respectfully traverse these rejections.

Salvati et al. discloses an imaging instrument that includes a compact hand-held housing having an electronic imaging element supported within a housing, and a plurality of interchangeable instrument heads separably attachable to the housing.

Each of the instrument heads includes an optical system disposed in alignment with the electronic imaging element along an instrument viewing axis. Preferably, the instrument includes a controller with sufficient programmable logic to capture and store a plurality of imaging images which can be transferred along with audio and/or annotation data relating to a captured image. Corresponding video, control and audio data can be then transferred using a receiving cradle to a computer which contains software which organizes the stored data for further processing. In a preferred example, the audio files can be transcribed through a network utilizing voice recognition software.

Solomon et al. discloses a method for forming a relatively thick epitaxial film of a III-V compound on a non-native substrate that involves sequentially forming a plurality of epitaxial layers on the substrate at a growth temperature. By cooling the substrate and each sequentially grown epitaxial layer to a sub-growth temperature prior to resumption of epitaxial growth, stress within the sample (due to thermal mismatch between the substrate and the epitaxial layer) is periodically relieved. Sequential epitaxial growth is combined with system etching to provide an epitaxial layer which not only has a lower propensity to shatter, but also exhibits improved surface morphology. Sequential hydride vapor-phase epitaxy using HCl as both source gas and etchant, allows integration of sequential deposition and system etching into a single process.

Finkelstein et al. discloses a method for topographic genotyping. The method comprises placing a biological specimen having DNA of a patient under a

microscope, inspecting the biological specimen microscopically with the microscope, choosing a microscope size target on the biological specimen based on its histopathologic characteristics, separating the target from the specimen, obtaining DNA sequences from the target so the DNA sequences can be amplified, amplifying the DNA sequences, and detecting mutations in the DNA sequences.

Regarding claims 30-33, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of these claims of, inter alia, a rule extracted from a plurality of examples regarding new solutions to solve problems, the rule being a physical or chemical rule indexed by an improving physical or chemical parameter and a deteriorating physical or chemical parameter, or displaying data on a display regarding the examples of new solutions to solve the problems input by the user. As noted previously, Baker does not disclose or suggest these limitations in the claims of the present application. Further, none of the other cited references disclose or suggest these limitations, or overcome the substantial deficiencies noted previously regarding Baker. Salvati et al. merely relates to a compact imaging instrument system, Solomon et al. merely relates to sequential hydride vapor phase epitaxy, and Finkelstein et al. merely relates to typographic genotyping. These references do not disclose or suggest anything related to a rule regarding new solutions to solve problems, or a rule being a physical or chemical rule indexed by an improving physical or chemical parameter and a deteriorating physical or chemical parameter, as recited in the claims of the present application.

Regarding claims 17, 21 and 25, Applicants submit that these claims are dependent on one of independent claims 1, 8 and 11 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims. For example, Applicants submit that none of the cited references disclose or suggest displaying a plurality of instruments in the solution with their priority levels in an order of degree of difficult in destroying a sample to be analyzed when a morphologic observation is selected as the analysis selection.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 17, 21, 25 and 30-33 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claim 27 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of King. Applicants respectfully traverse this rejection and submit that claim 27 is dependent on independent claim 12 and, therefore, is patentable at least for the same reasons noted previously regarding this independent claim. Applicants submit that King does not overcome the substantial defects noted previously regarding Baker. For example, Applicants submit that none of the cited references disclose or suggest where the instruction inputted by the user relates to a combination of a state selection, a part selection and an analysis condition of selection and a corresponding solution includes a combination of analytical technique and an analytical instrument.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of claim 27 of the present application. Applicants respectfully request that this rejection be withdrawn and that this claim be allowed.

Claim 29 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of King in view of Salvati et al. in view of Curtis et al. and in view of Solomon et al. and Finkelstein et al. Applicants respectfully traverse this rejection.

Curtis et al. discloses a system, method and computer program product for interactively enhancing and presenting event data that includes an enhancing portion and a presentation server. The enhancing portion includes a case enhancer that uses configuration data and an optional rules-based enhancing engine to enhance cases. The case enhancer includes a first informant that retrieves data from external data systems. The presentation server includes a presentation interface which interfaces one or more client workstations with a case database. The presentation server also includes a second informant which interfaces the presentation interface with external data systems. The presentation server also includes an enforcer which interfaces the presentation interface with external action systems.

Applicants submit that claim 29 is dependent on independent claim 12 and, therefore, is patentable at least for the same reasons noted previously regarding this independent claim. Applicants submit that neither King, Salvati et al., Curtis et al., Solomon et al., nor Finkelstein et al. overcome the substantial defects noted previously regarding Baker. For example, Applicants submit that none of the cited

references disclose or suggest displaying a plurality of information in the solution with their priority levels in an order of degree of difficulty in destroying a sample to be analyzed when a morphologic observation is selected as the analysis selection.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of claim 29 of the present application. Applicants respectfully request that this rejection be withdrawn and that this claim be allowed.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-34 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger & Malur, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. 500.40449X00).

Respectfully submitted,

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